

### **REMARKS**

The Office Action mailed August 19, 2009, has been received and reviewed. In the Office Action, each of claims 1-4, 6-9, 11-14, 16-17, 20-22, 24-26 and 28-30, and 33 stands rejected. Claims 1, 17, and 26 have been amended and claims 9, 11-14, 16, and 25 have been canceled. As such, claims 1-4, 6-8, 17, 20-22, 24-26, 28-30 and 33 remain pending, with claims 1, 17 and 26 being in independent form. Claims 34-38 have been added, with newly added claim 34 also being in independent form. Care has been exercised to introduce no new subject matter. Reconsideration of the above-identified application in view of the above amendments and the following remarks is respectfully requested.

### **Rejections based on 35 U.S.C. § 112**

In the Office Action, claims 1-4, 6-8, 16, 17, 20-22, 24-26, 28-30 and 33 are rejected under 35 U.S.C. § 112, 2nd Paragraph. Applicants have canceled claims 16 and 25, thereby mooting the rejection of these claims. Applicants have also amended the independent claims, including claims 1, 17 and 26, to cure the issues stated in the Office Action. In particular, the Office Action noted that “the code in the at least one C# file” of the unamended claim lacked antecedent basis. Applications have amended claim one to recite “code in the at least one C# file.” The Office Action rejected claim 17 for including the phrase “the received markup language file.” In response, Applicants have removed “received” from the claim. Applicants submit there is sufficient antecedent basis for the term “the markup file,” such as, for example, from the claim limitation of “receiving a markup language file.” The Office Action also rejected claim 26 for including the phrase “the receive markup language file.” In response, Applicants have once again removed “received” from the claim. Applicants submit there is sufficient antecedent basis for the term “the markup file,” such as, for example, from the claim

preamble of a “method for compiling a markup language file into an executable application, the method comprising.” Applicants submit that the § 112 rejections have been overcome and the claims now stand in an allowable state. Such favorable action is hereby requested.

**Rejections based on 35 U.S.C. § 103**

In the Office Action, claims 9, 11-14, and 16 are rejected under 35 U.S.C. § 103 over U.S. Publication No. 2004/0015841 to Walker et al. (“Walker”) in view of U.S. Publication No. 2002/00169999 to Bhansali et al. (“Bhansali”) and U.S. Publication No. 2003/0233397 to Katz et al. (“Katz”). While Applicants disagree with the propriety of this rejection, Applicants have canceled claims 9, 11-14 and 16, thereby mooting the rejection of these claims.

### **CONCLUSION**

For at least the reasons stated above, claims 1-4, 6-8, 17, 20-22, 24-26, 28-30 and 33-38 are now in condition for allowance. Applicants respectfully request withdrawal of the pending rejections and allowance of the claims. If any issues remain that would prevent issuance of this application, the Examiner is urged to contact the undersigned – 816-474-6550 or ahankel@shb.com (such communication via email is herein expressly granted) – to resolve the same. It is believed that no fee is due, however, the Commissioner is hereby authorized to charge any amount required to Deposit Account No. 19-2112, referencing attorney docket number MFCP.110234.

Respectfully submitted,

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